

AWP CA E5 Murrieta/Temecula, CA [New]  
French Valley Airport, CA  
(Lat. 33°34'34"N, long. 117°07'41"W)

\* \* \* \* \*

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the French Valley Airport, excluding the Camp Pendleton, CA, 700-foot Class E airspace area and excluding the Riverside, CA, 700-foot Class E airspace area.

Issued in Los Angeles, California, on October 17, 1996.

George D. Williams,  
Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 96-28283 Filed 11-1-96; 8:45 am]

BILLING CODE 4910-13-M

## 14 CFR Part 71

[Airspace Docket No. 96-AEA-07]

### Establishment of Class E Airspace; Grundy, VA

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule.

**SUMMARY:** This action establishes Class E airspace at Grundy, VA. The development of a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to Grundy Municipal Airport, Grundy, VA has made this action necessary. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Grundy Municipal Airport.

**EFFECTIVE DATE:** 0901 UTC, January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frances T. Jordan, Airspace Specialist, Operations Branch, AEA-530, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430, telephone: (718) 553-4521.

#### SUPPLEMENTARY INFORMATION:

##### History

On August 15, 1996, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by establishing a Class E airspace area at Grundy Municipal Airport, Grundy, VA (61 FR 42397). The development of a GPS RWY 22 SIAP at Grundy Municipal Airport has made this action necessary.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace areas

designations are published in paragraph 6005 of FAA Order 7400.9D, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) establishes a Class E airspace area at Grundy, VA. The development of a GPS RWY 22 SIAP at Grundy Municipal Airport has made this action necessary. The intended effect of this action is to provide adequate Class E airspace for aircraft executing the GPS RWY 22 SIAP at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 10034, February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal.

Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

#### PART 71—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996 and effective September 16, 1996, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

AEA VA E5 Grundy, VA [New]

Grundy Municipal Airport, VA  
(Lat. 37°13'56"N., Long. 82°07'30" W.)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Grundy Municipal Airport.

\* \* \* \* \*

Issued in Jamaica, New York; on October 21, 1996.

John S. Walker,

Manager, Air Traffic Division, Eastern Region.

[FR Doc. 96-28286 Filed 11-1-96; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Part 3500

[Docket No. FR-3638-F-08]

RIN 2502-AG26

### Amendments to Regulation X, the Real Estate Settlement Procedures Act: Withdrawal of Employer-Employee and Computer Loan Origination Systems (CLOs) Exemptions; Notice of Time Schedule for Establishing Effective Date of Rule

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Notice of time schedule for establishing effective date of rule.

**SUMMARY:** The Department published a notice on October 4, 1996, delaying until further notice the effective date of a final rule revising Regulation X, which implements the Real Estate Settlement Procedures Act of 1974 (RESPA), in light of recent legislation. The final rule was initially published on June 7, 1996, and it was corrected and revised on August 12, 1996. The October 4 notice announced that within 30 days, the Department would provide further notice of a time schedule for making effective the various provisions of the June 7, 1996 rule. Today's notice provides that time schedule.

**FOR FURTHER INFORMATION CONTACT:** David Williamson, Director, Office of Consumer and Regulatory Affairs, Room 9156, telephone (202) 708-6408; or, for legal questions, Kenneth A. Markison, Assistant General Counsel for GSE/RESPA, Grant E. Mitchell, Senior Attorney for RESPA, or Richard S. Bennett, Attorney, Office of General Counsel, Room 9262, telephone (202) 708-1550. (The telephone numbers are

not toll-free.) For hearing- and speech-impaired persons, these numbers may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1-800-877-8339. The address for the above-listed persons is: Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

**SUPPLEMENTARY INFORMATION:** In the final rule published on June 7, 1996 (61 FR 29238) entitled "Amendments to Regulation X, the Real Estate Settlement Procedures Act: Withdrawal of Employer-Employee and Computer Loan Origination Systems (CLOs) Exemptions," the Department established an effective date of 120 days from publication: October 7, 1996.

Subsequently, on August 12, 1996 (61 FR 41944), the Department revised a document associated with that rule—Appendix D, the Controlled Business Arrangement (CBA) Disclosure Statement Format—in order to clarify the directions for completing the format.

Section 2103 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996, which was signed by the President on September 30, 1996, as Title II of the Omnibus Consolidated Appropriations Act, 1997 (Pub. L. 104-208; approved September 30, 1996) (the Act), delays the effective date of the amendment to Regulation X contained in the June 7, 1996 final rule concerning payments to employees by their employers. For instance, one provision of the June 7, 1996 rule would have eliminated 24 CFR 3500.14(g)(1)(vii) of Regulation X, which permits "[a]n employer's payment to its own employees for any referral activities." Section 2103 of the Act delays the effectiveness of this provision of the June 7 rule. The Act also provides that the effective date of the following provisions is delayed: (1) The exemption for employer payments to managerial employees (§ 3500.14(g)(1)(viii) of the June 7 rule); (2) The exemption for employer payments to employees who do not perform settlement services in any transaction (§ 3500.14(g)(1)(ix) of the June 7 rule); and (3) The provision clarifying that "[a] payment by an employer to its own *bona fide* employee for generating business for that employer" is permissible (§ 3500.14(g)(1)(vii) of the June 7 rule). The Act also forbids the Department from providing public notice of the effective date of these provisions more than 180 days or less than 90 days before their effective date.

Although not required by the legislation, the Department decided to

delay temporarily the effective date of the entire June 7 rule, as corrected and revised on August 12, and to continue the prior provisions relating to employer-employee payments (as in effect on May 1, 1996), as required by the Act. The Department published a notice in the Federal Register informing the public of this delay on October 4, 1996 (61 FR 51782). The October 4 notice announced that the Department would analyze the legislation and, within 30 days, publish a second notice providing the public information on a time schedule for making effective the various provisions of the June 7 rule, as revised August 12. Today's notice provides the Department's time schedule for those actions.

#### Time Schedule

The Department will shortly publish a revised final rule that will make effective those provisions of the June 7 final rule that the Department has determined are unaffected by the delay provisions in section 2103 of the Act. The Department intends to publish this rule within 15 days of date of publication of this notice and to establish an effective date of 60 days after the date of publication.

For the reasons explained in the preamble to the June 7 rule, the upcoming final rule will withdraw the Computer Loan Origination (CLO) exemption (24 CFR § 3500.14(g)(1)(viii)) and CLO disclosure format (Appendix F to part 3500). It will implement the controlled business format, as published on August 12, 1996 (61 FR 41944), with a technical revision discussed below.

The upcoming final rule will also make other technical revisions and clarifications to Regulation X, including some designed to conform the regulatory language to the language of the new legislation. For example, the Department intends, in the upcoming final rule, to replace references to "controlled business arrangements" with references to "affiliated business arrangements" or "AfBAs," reflecting the change in terminology effected by section 2103(c) of the Act. The Department intends to make this change throughout the Regulation X (part 3500) and its appendices, including Appendix D, which will be renamed the "Affiliated Business Arrangement Disclosure Statement Format."

In the upcoming final rule, the Department intends to acknowledge section 2103(d) of the Act, which amends section 8(c)(4)(A) of RESPA to provide special affiliated business arrangement disclosure procedures for telemarketing and electronic media referrals, by adding a cross-reference to

this amended statutory provision. The Department intends to undertake future rulemaking to provide guidance on this provision of the new Act. The Department also intends to revise the regulations in the future to reflect the amendments in section 2103(a) of the Act simplifying the disclosure to applicants relating to assignment, sale, or transfer of mortgage servicing.

Because of the legislation, the upcoming final rule will not address the employer-employee issues addressed in the June 7 final rule. Consistent with the Act, the Department is prohibited from announcing at this time the effective date for the employer-employee provisions of the June 7 rule. It is the Department's intent, however, to move forward expeditiously to make rules on this subject effective on or after the legally permissible date of July 31, 1997, as feasible in accordance with law. The Department's plans include issuing a proposed rule in the upcoming months to create an exemption to section 8's prohibition against referral fees for employer payments to *bona fide* employees for referrals of settlement service business to a settlement service provider in the same industry that has an affiliate relationship with the employer or in which the employer has a direct or beneficial ownership interest of more than 1 percent.

#### Further Guidance

The October 4 notice advised affected persons to comply with the guidance contained in the three Statements of Policy published simultaneously with the June 7, 1996 rule (61 FR 29255-29266), except to the extent that the guidance in them interprets rule provisions that are delayed from becoming effective. That advice remains in effect.

In addition, as indicated in the October 4 notice, to ease any compliance burden on the industry, the Department's position is that, until further notice, persons are free to use the revised disclosure statement format published on August 12, 1996, if they so choose, or they may continue to use the format which was in effect on May 1, 1996. As indicated above, however, the Department's plan is that the upcoming final rule will make effective the revised disclosure statement format published on August 12, 1996.

Dated: October 30, 1996.

Stephanie A. Smith,  
General Deputy Assistant Secretary for  
Housing-Federal Housing Commissioner.  
[FR Doc. 96-28331 Filed 11-1-96; 8:45 am]

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